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## NOTICE OF ALLOWANCE AND FEE(S) DUE

27997 7590 03/05/2010

PRIEST & GOLDSTEIN PLLC  
5015 SOUTHPARK DRIVE  
SUITE 230  
DURHAM, NC 27713-7736

EXAMINER

PATEL, JAGDISH

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 03/05/2010

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/036,605

12/21/2001

Nancy J. Dodd

109.0015

4732

TITLE OF INVENTION: SYSTEMS AND METHODS FOR AUTOMATIC SUBMISSION, AUDIT AND ADJUSTMENT OF MORTGAGE INSURANCE CLAIMS

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 06/07/2010 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

27997 7590 03/05/2010

**PRIEST & GOLDSTEIN PLLC**  
5015 SOUTHPARK DRIVE  
SUITE 230  
DURHAM, NC 27713-7736

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

|                    |
|--------------------|
| (Depositor's name) |
| (Signature)        |
| (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/036,605 12/21/2001 Nancy J. Dodd 109.0015 4732

**TITLE OF INVENTION: SYSTEMS AND METHODS FOR AUTOMATIC SUBMISSION, AUDIT AND ADJUSTMENT OF MORTGAGE INSURANCE CLAIMS**

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| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 06/07/2010 |

| EXAMINER       | ART UNIT | CLASS-SUBCLASS |
|----------------|----------|----------------|
| PATEL, JAGDISH | 3693     | 705-038000     |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| 10/036,605  | 12/21/2001  | Nancy J. Dodd        | 109.0015            | 4732             |
| 27997   | 7590        | 03/05/2010           | EXAMINER            |                  |
| PRIEST & GOLDSTEIN PLLC<br>5015 SOUTHPARK DRIVE<br>SUITE 230<br>DURHAM, NC 27713-7736 |             |                      | PATEL, JAGDISH      |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3693                |                  |
| DATE MAILED: 03/05/2010   |             |                      |                     |                  |

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1009 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1009 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

|                               |                        |                     |  |
|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/036,605             | DODD ET AL.         |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | JAGDISH N. PATEL       | 3693                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/8/09.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date ____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date ____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other ____.</li> </ol> |
|--|---|

**DETAILED ACTION**

1. This communication is in response to amendment filed 12/8/09 and accompanying declarations under 37 CFR 1.131 from Nancy j. Dodd et al. and Peter H. Priest with accompanied documents showing reduction to practice before the publication of Sellers and showing common assignment of the instant application and the Seller application 09/909,439.

***Response to Amendment***

2. Responsive to the amendment filed 12/9/09 and accompanied declarations, the rejection of claims under 35 USC 102(a) have been withdrawn. Additionally rejection of claims 24-29 under 35 USC 101 and 35 USC 112(second) have been resolved due to the amendment.

**EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Att Peter H. Priest on 2/22/10 (amendment submitted on 2/24/10 via e-mail).

The application has been amended as follows:

In the CLAIMS:

Please amend claims 1, 2, 5, 6, 11, 13-15, 18, 19, 24 and 26 as follows.

1. (currently amended) A system for automatically and rapidly submitting and processing mortgage insurance claims, comprising;

a remote servicer terminal connected into a network, the servicer terminal capturing data related to initially submitting a mortgage insurance claim and initially submitting the mortgage insurance claim over the network to an insurer, the data further being related to an insured mortgage loan after default on the mortgage loan by a borrower;

a claims database storing data relating to the mortgage insurance claim;

a transaction server connected to the claims database and through the network to the remote servicer terminal to receive inputs from, and provide outputs to the remote servicer terminal, said inputs including the captured data and the mortgage insurance claim; and

a claim audit rulebase accessed by the transaction server and causing the transaction server to retrieve data relating to the mortgage insurance claim from the claims database and for automatically performing an audit and adjustments of the submitted mortgage insurance claim, providing results of the audit and adjustments to the servicer terminal, and presenting the servicer with an option to interact with a claim representative to resolve any issues, the claim audit rulebase utilizing rules directed to determine whether loss can be mitigated by acquisition by the insurer of a property subject to the insured mortgage loan.

2. (currently amended) The system of claim 1, wherein the system displays at the servicer terminal a claim submission form including data entry fields for receiving claim data.

5. (currently amended) The system of claim 1, wherein if the claim audit rulebase determines that a payment is to be made on the submitted claim, projected date of payment is provided.

6. (currently amended) The system of claim 1, wherein a detailed explanation of policy exceptions identified by the claim audit rulebase is provided.

11. (currently amended) A system for automatically processing mortgage insurance claims, comprising:

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a web server administering a network of servicer terminals connected into a network, each servicer terminal running web browser software for viewing web pages served by the web server,

the web pages including a claim submission form for receiving a mortgage insurance claim including submission data submitted at a servicer terminal, the claim submission data being related to an insured mortgage loan on a property after default on the mortgage loan by a borrower; and

a transaction server connected through the web server and the network to the network of servicer terminals, the transaction server accessing a claim audit rulebase and a claims database to retrieve data relating to the mortgage insurance claim and to automatically perform an audit and adjustment for the mortgage insurance claim and to automatically provide results of the audit and adjustment to the servicer terminal, the claim audit rulebase utilizing rules directed to determine whether loss can be mitigated by acquisition of the property by an insurer.

13. (currently amended) The system of claim 11, further including:

a network of claim representative terminals connected to the web server for allowing at a servicer terminal to communicate with a claim representative terminal.



14. (currently amended) A method for automatically processing mortgage insurance claims, comprising:

(a) capturing at a servicer terminal data relating to initial submission of a mortgage insurance claim, the servicer terminal being connected into a network administered by a central server computer and transmitting the mortgage insurance claim over the network to the transaction server, capturing of data including capturing data relating to an insured mortgage loan after default on the mortgage loan by a borrower;

(b) utilizing the central server to automatically retrieve from a claims database, connected into the network, data relating to the mortgage insurance claim;

(c) utilizing the central server to access a claim audit rulebase and to automatically perform an audit and adjustment of the submitted claim based upon the data captured at the servicer terminal and the data retrieved from the claims database, the claim audit rulebase utilizing rules directed to determining if loss can be mitigated by acquisition by an insurer of a property subject to the insured mortgage loan;

(d) automatically providing to the servicer terminal results of the audit and adjustments of the submitted claim; and

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(e) automatically displaying at the servicer terminal an option to interact with a claim representative to resolve any issues.

15. (currently amended) The method of claim 14, wherein step (a) includes:

displaying at the servicer terminal a claim submission form including data entry fields for receiving claim data.

18. (currently amended) The method of claim 14, wherein step (e) includes:

providing a projected date of payment if a calculated claim amount determined by the transaction server is accepted.

19. (currently amended) The method of claim 14, wherein the claim audit rule base includes policy exceptions and rules for identifying policy exceptions applicable to the mortgage insurance claim, and step (d) includes:

providing a detailed explanation of policy exceptions identified by the claim audit rulebase.

24. (currently amended) A method for automatically processing mortgage insurance claims, comprising:

(a) using a web server to administer a network of servicer terminals, each servicer terminal in the network running web browser software for viewing web pages served by the web server,

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(b) sending a web page from the web server to the servicer terminal, the web page including a claim submission form providing for direct entry of inputs relating to the mortgage insurance claim for an insured mortgage loan after default on the mortgage loan by a borrower, capturing claim submission data at the servicer terminal, and initially submitting the claim submission form;

(c) utilizing a transaction server to access a claim audit rulebase and a claims database to automatically perform an audit and adjustment of the mortgage insurance claim submitted at the servicer terminal, the claim audit rulebase utilizing rules directed to determining if loss can be mitigated by acquisition by an insurer of a property subject to the insured mortgage loan; and

(d) automatically providing results of the audit and adjustment over the network to the servicer terminal.

26. (currently amended) The method of claim 24, further including:

connecting a network of claim representative terminals to the web server to allow a servicer terminal to communicate with a claim representative terminal.

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**Allowable Subject Matter**

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4. Claims 1-32 are allowed.

### REASONS FOR ALLOWANCE

5. The Applicant's remarks/arguments dated 3/11/09 (see pp. 10-) regarding claim rejections over the prior art references of Camin (US Pat. 7,379,912) in view of Lent (US Pat. 6,795,912) deemed as the closest prior art of record, are persuasive and are incorporated by reference herein as the reasons for allowance of the pending claims 1-32. Furthermore, Sellers (2002/0044773) is not prior art under 35 USC 102(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **KRAMER JAMES A** can be

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reached on **(571)272-6783**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/JAGDISH N PATEL/  
Primary Examiner of Art Unit 3693